United Nations A/HRC/32/L.13

General Assembly

Distr.: Limited
28 June 2016

Original: English

Human Rights Council
Thirty-second session
Agenda item 3
Promotion and protection of all human rights, civil, political, economic, social and cultural rights, including the right to development

Albania, Angola,* Austria,* Australia,* Azerbaijan,* Belgium, Bulgaria,* Bosnia and Herzegovina,* Croatia,* Cyprus,* Denmark,* Estonia,* Finland,* France, Germany, Georgia, Greece,* Honduras,* Iceland,* Ireland,* Italy,* Japan,* Latvia, Liechtenstein,* Lithuania,* Luxembourg,* Malta,* Mexico, Montenegro,* Netherlands, Norway,* Panama, Peru,* Philippines, Poland,* Portugal, Romania,* Sierra Leone,* Slovenia, Slovakia,* Spain,* Sweden,* Switzerland, Tunisia,* Uganda,* Ukraine,* United Kingdom of Great Britain and Northern Ireland, United States of America,* Zambia:* draft resolution

32/... Mandate of the Special Rapporteur on the human rights of internally displaced persons

The Human Rights Council,

Recalling all previous resolutions on internally displaced persons adopted by the General Assembly, the Commission on Human Rights and the Human Rights Council, including Assembly resolution 70/165 of 17 December 2015 and Council resolution 23/8 of 13 June 2013,

Recalling also General Assembly resolution 46/182 of 19 December 1991 on the strengthening of the coordination of humanitarian emergency assistance of the United Nations, and the Guiding Principles on Internal Displacement annexed thereto,

Recalling further Human Rights Council resolutions 5/1, on the institution-building of the Council, and 5/2, on the Code of Conduct for Special Procedures Mandate Holders of the Human Rights Council, of 18 June 2007, and stressing that the mandate holder shall discharge his or her duties in accordance with those resolutions and the annexes thereto,

Deeply disturbed by the alarmingly high number of internally displaced persons throughout the world, for reasons including violations and abuses of human rights, violations of international humanitarian law, armed conflict, persecution, violence and terrorism, as well as natural and human-made disasters, who receive inadequate protection

* State not a member of the Human Rights Council

GE.16-10854(E)
1610854

Please recycle

and assistance, and conscious of the serious challenges that this is creating for the people affected, including the host communities, as well as the international community,

Conscious of the human rights, humanitarian, development and possible peacebuilding dimensions of internal displacement, including in long-term displacement situations, the often heightened vulnerability of women and children, as well as of older persons and persons with disabilities, and the responsibilities of States and the international community to further strengthen their protection and assistance, including by respecting and protecting the human rights and fundamental freedoms of all internally displaced persons, with a view to finding durable solutions,

Noting the need for greater mainstreaming of the human rights of internally displaced persons across the United Nations system in order to address more effectively the challenges they face, including by giving due consideration to the re-establishment of a Representative of the Secretary-General, and welcoming the recommendations of the Special Rapporteur on the human rights of internally displaced persons in this regard,

Emphasizing that States have the primary responsibility to provide protection and assistance to internally displaced persons within their jurisdiction, without discrimination, including through the facilitation of durable solutions, and to address the root causes of the displacement problem in appropriate cooperation with the international community,

1. *Commends* the Special Rapporteur on the human rights of internally displaced persons for the activities undertaken to date, the catalytic role that he has played in raising the level of awareness of the plight of internally displaced persons, and his ongoing efforts to address their development and other specific needs, including through the mainstreaming of the human rights of internally displaced persons into all relevant parts of the United Nations system;

2. *Welcomes* the report of the Special Rapporteur on the human rights of internally displaced persons submitted to the Human Rights Council at its thirty-second session[1] and the conclusions and recommendations contained therein;

3. *Notes with appreciation* the holding of the World Humanitarian Summit in Istanbul, Turkey, on 23 and 24 May 2016, and recalls the resolve to pursue a new approach to address the needs of internally displaced persons that would meet immediate humanitarian needs and longer-term development outcomes to enhance the self-reliance of internally displaced persons and host communities;

4. *Recalls* that the Secretary-General has urged all stakeholders to commit to a comprehensive global plan to reduce internal displacement in a dignified and safe manner by at least 50 per cent by 2030;

5. *Expresses* its appreciation to those Governments and intergovernmental and non-governmental organizations that have provided protection and assistance to internally displaced persons, including through the facilitation of durable solutions and the inclusion of internally displaced persons within their national development plans, and have supported the work of the Special Rapporteur;

6. *Expresses concern* at the persistent problems of the large number of internally displaced persons worldwide, in particular the risk of extreme poverty and socioeconomic exclusion, their limited access to humanitarian assistance and long-term development efforts and assistance, vulnerability to violations of international law, in particular human rights law and international humanitarian law, and difficulties resulting

[1] A/HRC/32/35

from their specific situation, such as lack of protection, food, shelter, health services, education, disruption to family links, loss of essential documents and issues pertinent to their reintegration, including, in appropriate cases, the need for the restitution of or compensation for property,

7. *Also expresses concern* at the problem of protracted internal displacement, and recognizes the need for the integration of the rights and needs of internally displaced persons into both rural and urban development strategies, and for their participation in the design and implementation of these strategies, as well as the need to secure durable solutions, including voluntary return, local integration or settlement elsewhere in the country, in a dignified and safe manner,

8. *Expresses particular concern* about the full range of threats, violations and abuses of human rights and violations of international humanitarian law experienced by many internally displaced persons, including women and children, who are particularly vulnerable or specifically targeted, especially for sexual and gender-based violence and sexual exploitation and abuse, trafficking in persons, forced recruitment and abduction, encourages the continued commitment of the Special Rapporteur to promote action to address their particular assistance and protection needs, and calls upon States, in cooperation with international agencies and other stakeholders, to provide protection and assistance to internally displaced persons who are victims of the above-mentioned violations and abuses, as well as other groups of internally displaced persons with special needs, such as severely traumatized individuals, older persons and persons with disabilities, taking into account all relevant resolutions of the General Assembly and the Security Council;

9. *Calls upon* all parties to armed conflict to comply with their obligations under international humanitarian law, and international human rights law, as applicable, with a view to preventing forced displacement and promoting the protection of civilians, and calls upon Governments to take measures to respect and protect the human rights of all internally displaced persons, without distinction of any kind, in accordance with their applicable obligations under international law;

10. *Strongly condemns* the continued perpetration of sexual and gender-based violence against internally displaced persons of all ages, with women and girls disproportionately victimized, and urges authorities and the international community to work together for effective prevention and response, security, protection of human rights, access to justice and victim assistance, as well as in addressing the causes of violence against women and girls and in fighting impunity across the board;

11. *Urges* States and other relevant actors to take into account the specific needs of persons with disabilities and of older persons when promoting and ensuring the protection of the human rights of internally displaced persons, in particular by ensuring that persons with disabilities and older persons have timely, appropriate and equal access to assistance, protection and rehabilitation services, including health care, sexual and reproductive health-care services, psychosocial support and educational programmes;

12. *Calls upon* States, in cooperation with international agencies and other stakeholders, to ensure and support the full and meaningful participation of internally displaced persons, including women, at all levels of decision-making processes and activities that have a direct impact on their lives, in all aspects relating to internal displacement, regarding the promotion and protection of human rights, the prevention of human rights violations and abuses, the inclusion in local and national development plans and activities, and the design and implementation of durable solutions, including through fostering voluntary return, local integration or settlement elsewhere in the country in a

dignified and safe manner, as well as peace processes, peacebuilding, transitional justice, post-conflict reconstruction and development,

13. *Expresses concern* at the internal displacement caused by disasters, exacerbated by the adverse effects of climate change, poverty and other factors, and recognizes the need for a human rights-based approach to disaster risk reduction, early warning, disaster contingency planning, disaster management and mitigation, as well as recovery efforts, to reduce and address disaster displacement, to better protect and attend the needs of affected persons, and to find durable solutions, and recalls the relevant provisions of the Sendai Framework for Disaster Risk Reduction 2015-2030[2] and the Paris Agreement[3] in this regard;

14. *Reaffirms* the recognition of the Guiding Principles on Internal Displacement as an important international framework for the protection of internally displaced persons, and encourages Member States and humanitarian agencies, as well as development donors and other providers of development assistance, to continue to work together in endeavours to provide a more predictable response to the needs of internally displaced persons, including their need for long-term development assistance for the implementation of durable solutions, and in this regard calls for international support, upon request, for the capacity-building efforts of States;

15. *Decides* to extend the mandate of the Special Rapporteur on the human rights of internally displaced persons for a period of three years;

(*a*) To address the complex problem of internal displacement, in particular by mainstreaming the human rights of the internally displaced into all relevant parts of the United Nations system;

(*b*) To work towards strengthening the international response to the complex problem of situations of internal displacement and to engage in coordinated international advocacy and action for improving protection and respect of the human rights of the internally displaced, while continuing and enhancing inclusive dialogue with Governments, inter-governmental, regional and non-governmental organizations and other relevant actors;

16. *Requests* the Special Rapporteur on the human rights of internally displaced persons, in carrying out the mandate:

(*a*) To continue, through continuous dialogue with Governments, intergovernmental, regional and non-governmental organizations and other relevant actors, the analysis of the reasons for internal displacement, the needs and human rights of those displaced, measures of prevention, including measures relating to the protection of and assistance to persons at risk of displacement, and ways to strengthen protection, as well as assistance and durable solutions for internally displaced persons, taking into account specific situations and relevant information, including, in particular, statistics and data disaggregated by age, sex, diversity and location, and to include reliable information thereon in his or her reports submitted to the Human Rights Council;

(*b*) To continue, through continuous dialogue with Governments, intergovernmental, regional and non-governmental organizations and other relevant actors, his or her efforts to promote comprehensive and inclusive strategies and support that focus on the prevention of displacement, better protection and assistance, durable solutions and the integration of internally displaced persons into national development plans, taking into account the primary responsibility of States within their jurisdiction in this regard;

---

[2] General Assembly resolution 69/283, annex II.

[3] FCCC/CP/2015/10/Add.1.

(c) To continue to use the Guiding Principles on Internal Displacement in his or her dialogue with Governments, States in post-conflict or other situations, intergovernmental, regional and non-governmental organizations and other relevant actors, and to continue his or her efforts to further the dissemination, promotion and application of the Guiding Principles and to provide support for efforts to promote capacity-building and the use of the Guiding Principles, as well as the development of domestic legislation and policies;

(d) To integrate a gender perspective throughout the work of the mandate, and to give special consideration to the human rights of internally displaced women and children, as well as of other groups with special needs, such as older persons, persons with disabilities and severely traumatized individuals affected by internal displacement, and their particular assistance, protection and development needs;

(e) To continue his or her efforts to promote, where appropriate, the consideration of the human rights and the specific protection and assistance needs of internally displaced persons in peace processes and peace agreements, and in reintegration and rehabilitation processes;

(f) To continue to pay attention to the role of the international community in assisting affected States, upon request, in meeting the protection and assistance needs of internally displaced persons, including in implementing national strategies, and to incorporate in his or her advocacy activities an emphasis on the mobilization of adequate resources in response to the needs of affected countries;

(g) To continue, through continuous dialogue with Governments, intergovernmental, regional and non-governmental organizations and other relevant actors, his or her efforts to promote the protection of human rights of internally displaced persons in the context of disasters;

(h) To strengthen further the cooperation established between the Special Rapporteur and the United Nations, including in the framework of the Peacebuilding Commission, as well as other international and regional organizations, in particular his or her participation in the work of the Inter-Agency Standing Committee and its subsidiary bodies;

(i) To continue to use in his or her activities the Framework on Durable Solutions for Internally Displaced Persons[4] of the Inter-Agency Standing Committee;

(j) To continue cooperation with development donors and other providers of development assistance, including United Nations agencies and other relevant actors, to further strengthen international assistance efforts in support of durable solutions;

17. *Calls upon* States to provide durable solutions, and encourages strengthened international cooperation, including through the provision of resources and expertise to assist affected countries, in particular developing countries, in their efforts and policies relating to assistance, protection rehabilitation, durable solutions and development assistance for internally displaced persons and their host communities;

18. *Urges* all countries to integrate the 2030 Agenda for Sustainable Development[5] into their respective national policies and development frameworks, as appropriate, and recalls that the 2030 Agenda seeks to address the needs of the most vulnerable, including internally displaced persons;

[4] A/HRC/13/21/Add.4

[5] General Assembly resolution 70/1

19. *Encourages* States to continue to develop and implement domestic legislation and policies dealing with all stages of displacement in an inclusive and non-discriminatory way, including through the identification of a national focal point within the Government for issues concerning internal displacement, and through the allocation of budget resources, and encourages the international community, relevant United Nations agencies and regional and national actors to provide financial and technical support and cooperation to Governments, upon request, in this regard;

20. *Welcomes* the initiatives undertaken by regional organizations, such as the African Union, the International Conference on the Great Lakes Region, the Organization of American States, the Organization for Security and Cooperation in Europe and the Council of Europe, to address the protection, assistance and development needs of internally displaced persons and to find durable solutions for them, and encourages regional organizations to strengthen their activities and their cooperation with the Special Rapporteur;

21. *Strongly welcomes* the adoption, entry into force and ongoing process of ratification of the African Union Convention for the Protection and Assistance of Internally Displaced Persons in Africa, which marks a significant step towards strengthening the national and regional normative framework for the protection of and assistance to internally displaced persons in Africa, and encourages other regional mechanisms to consider the development of similar regional normative frameworks for the protection of internally displaced persons;

22. *Strongly encourages* all Governments, in particular Governments of countries with situations of internal displacement, to facilitate activities of the United Nations and other relevant actors addressing the protection, assistance and development needs of internally displaced persons and to respond favourably and expeditiously to requests by the Special Rapporteur for visits and information, stresses the need of unimpeded access by the Special Rapporteur in accordance with the mandate, and urges Governments and the relevant bodies of the United Nations system, also at the country level, to follow up effectively, where appropriate, on recommendations of the mandate holder and to make available information on measures taken in this regard;

23. *Encourages* Governments, members of the Inter-Agency Standing Committee, United Nations humanitarian coordinators and country teams to ensure the provision of reliable data on internal displacement situations in order to inform an effective and rights-based response, to share data with the Internal Displacement Monitoring Centre for incorporation into global estimates and analysis, to request the support and guidance of the Joint Internally Displaced Persons Profiling Service as needed to help to improve the availability of actionable and agreed-upon data, and to provide financial resources, as appropriate, in these respects;

24. *Encourages* the United Nations, including its specialized agencies, regional intergovernmental organizations, mandate holders, interested institutions and independent experts, and non-governmental organizations to develop and maintain regular dialogue and cooperation with the Special Rapporteur in the fulfilment of the mandate;

25. *Encourages* all relevant United Nations organizations and humanitarian assistance, human rights and development organizations to enhance their collaboration and coordination, through the Inter-Agency Standing Committee and United Nations country teams in countries with situations of internal displacement, to provide all possible assistance and support to the Special Rapporteur, and requests the continued participation of the Special Rapporteur in the work of the Inter-Agency Standing Committee and its subsidiary bodies;

26. *Requests* the Secretary-General and the Office of the United Nations High Commissioner for Human Rights to provide the Special Rapporteur with all the assistance and adequate staffing necessary to carry out the mandate effectively, and to ensure that the mechanism works in close cooperation with the Emergency Relief Coordinator, with the continued support of the Office for the Coordination of Humanitarian Affairs, the United Nations High Commissioner for Refugees and all other relevant United Nations offices and agencies;

27. *Requests* the Special Rapporteur to continue to submit annual reports on the implementation of the mandate to the Human Rights Council and the General Assembly, making suggestions and recommendations regarding the human rights of internally displaced persons, including on the impact of measures taken at the inter-agency level;

28. *Decides* to continue its consideration of the question of the human rights of internally displaced persons in conformity with its programme of work.